

*Provided*, That one half of the sum hereby appropriated to the Trinity river, shall be expended in the improvement of said river above Magnolia and the other half below Magnolia; adopted by the following vote:

YEAS—Messrs. Armstrong, Bigelow, Bogart, Burks, Ford, Gray, Grimes, Hart, Hill, Scott, Taylor, Williams and Wilson—13.

NAYS—Messrs. Dancy, Davis, Day, Duggan, Meusebach, Miller, Parker, Potter and Truit—9.

Mr. Wilson moved to reconsider the vote just taken.

On motion of Mr. Miller, the Senate adjourned until 9 o'clock to-morrow morning.

---

SATURDAY, January 22, 1853.

The Senate was called to order by the President, pursuant to adjournment—no quorum. Absent, Messrs. Armstrong, Burks, Dancy, Ford, Gray, Hart, Hill, Meusebach, Williams and Wilson, Sergeant-at-Arms was despatched after absent members—after some time a quorum being present, the Journal of yesterday was read and adopted.

Mr. Potter presented the petition of sundry citizens, praying for donation to aid the Ursuline Convent school; referred to the committee on Education.

Mr. Day presented the petition of sundry citizens of Austin, Grimes and Harris counties, praying the organization of a new county to be called Groce; referred to the committee on Counties and County Boundaries.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported a bill to amend an act to incorporate the Buffalo Bayou, Brazos and Colorado Railway company, correctly engrossed.

Mr. Grimes, from the committee on Public Debt, to which was referred a resolution requesting said committee to enquire into the expediency of providing for the prompt payment of first class claims, &c., reported a bill to provide for the payment of that part of the Public Debt held by citizens of Texas; which was read a first time.

Mr. Wilson, from the committee on the Judiciary, to which was referred a bill concerning certain lands in Austin's second colony, and the colony of Austin and Williams, reported the same back and recommended its passage, with the following amendments: after the word "exist," in the 4th line of 1st sec-



tion, insert the words "below the road known as the upper road from Bexar to Nacogdoches."

On motion of Mr. Dancy, the rule was suspended and report taken up, read and adopted.

Mr. Taylor offered the following amendment, to come in after the word "assigns" in second section :

*Provided*, That the provisions of this act shall not be so construed as to apply to any grant for a greater amount of land than one league and one labor, made to colonists as their head right claims; adopted.

Mr. Scott offered the following amendment :

Strike out all of 2nd section to the word "assigns," and insert "that the said titles emanating from surveys made by virtue of colony grants of said colony, shall be as good and binding as though they were made within said colony;" rejected by the following vote :

YEAS—Messrs. Armstrong, Burks, Eddy, Hill, Miller, Parker, Reaves, Scott, Taylor, Truit and Williams—11.

NAYS—Messrs. Bigelow, Bogart, Dancy, Davis, Day, Duggan, Ford, Gray, Grimes, Hart, Kinney, Potter and Wilson—13.

Mr. Grimes moved to strike out the 2nd section; carried by the following vote :

YEAS—Messrs. Armstrong, Burks, Eddy, Gray, Grimes, Hart, Hill, Miller, Parker, Reaves, Scott, Taylor, Truit and Williams—14.

NAYS—Messrs. Bigelow, Bogart, Dancy, Davis, Day, Duggan, Ford, Kinney, Potter and Wilson—10.

Mr. Gray offered the following amendment :

Strike out all after the enacting clause, and insert—

SECTION 1.—All grants made by commissioners of Austin's second colony or Austin and Williams' colony, and lying in a triangular tract of country, south of the upper road from Bexar to Nacogdoches and between lines drawn north-east and north-west, from the western source of the La Vaca river to said road, be and are hereby declared to be as valid as if situated within the undoubted limits of said colonies, and the State hereby releases her claims to the same, and this act shall take effect immediately; adopted by the following vote :

YEAS—Messrs. Bigelow, Bogart, Dancy, Davis, Day, Duggan, Eddy, Ford, Gray, Grimes, Kinney, Mensebach, Potter, Truit, Williams and Wilson—16.

NAYS—Messrs. Armstrong, Burks, Hart, Hill, Miller, Parker, Reaves, Scott and Taylor—9.

Mr. Miller moved to amend the bill by striking out the words



"and the State hereby releases her claim to the same;" rejected by the following vote:

YEAS—Messrs. Armstrong, Burks, Grimes, Hill, Miller, Parker, Reaves, Scott, Taylor, Truit and Williams—11.

NAYS—Messrs. Bigelow, Bogart, Dancy, Davis, Day, Duggan, Ford, Gray, Kinney, Meusebach, Potter and Wilson—12.

Mr. Hill offered the following amendment:

*Provided*, That the provisions of this act shall not be so construed as to apply to any grant for a greater amount of land than one league and one labor, nor to any others than those made to colonists for their head rights or for premium lands to the empresario; adopted, and

Bill passed to a third reading.

On motion of Mr. Wilson, the rule was suspended, bill read third time and passed by the following vote:

YEAS—Messrs. Bigelow, Bogart, Dancy, Davis, Day, Duggan, Ford, Gray, Grimes, Kinney, Meusebach, Potter, Truit, Williams and Wilson—15.

NAYS—Messrs. Armstrong, Burks, Hart, Hill, Miller, Parker, Reaves, Scott and Taylor—9.

Mr. Wilson made the following report:

The Select committee, to which was referred so much of the Governor's Message as relates to the protection of the frontier, and the employment of three companies of Rangers, report as the result of their deliberations, the accompanying bill and recommend its passage:

A bill making an appropriation to defray the expenses of volunteers called into the service of the State for the protection of the frontier; read first time.

Mr. Gray made the following report:

The committee on the Judiciary have considered a bill to authorize parties to land suits to allege and plead any matter of law or fact, that the Republic or State of Texas might do, or could have done at the time the grant was made, and a majority of the committee direct me to report adversely to the same. The principle of the bill is deemed impolitic, as likely to promote litigation and controversy concerning the land titles of the country, and also improper, as vesting individuals who may be interested adversely to land titles granted by the government, with the power of the State to investigate and forfeit such titles. If any thing should be done on the subject, it appears to a majority of the committee that the State should retain full control and direction of the mode and manner in which it is done by the constituted officers, under a forfeiture law properly digested and



fully guarding the equitable rights of settlers and others to be affected thereby, as also the rights of the State in the land which may be forfeited.

With these views, the bill is returned to the Senate, with the recommendation that it be indefinitely postponed.

Messrs. Reaves and Armstrong gave notice that they would make a counter report.

A message was received from the House informing the Senate that the House had passed a bill to apportion the Senators and Representatives of the Legislature among the several counties of the State according to the requirements of the constitution.

On motion of Mr. Miller, the Senate adjourned until 3 o'clock P. M.

### THREE O'CLOCK, P. M.

Senate met—roll called—quorum present.

On motion of Mr. Duggan, a bill to apportion the Senators and Representatives of the Legislature among the several counties of the State according to the requirements of the constitution, was taken up and read first time.

On motion of Mr. Kinney, the rule was suspended, bill read second time.

Mr. Parker offered the Senate bill as a substitute; rejected by the following vote:

YEAS—Messrs. Armstrong, Bigelow, Ford, Gray, Miller, Parker, Potter, Scott, Taylor, Truit and Williams—11.

NAYS—Messrs. Bogart, Burks, Davis, Day, Duggan, Grimes, Hart, Hill, Kinney, Meusebach, Reaves and Wilson—12.

Mr. Bigelow moved to amend the bill so as to give Rusk county three Representatives, and Cameron county two Representatives; rejected by the following vote:

YEAS—Messrs. Armstrong, Bigelow, Dancy, Day, Ford, Gray, Kinney and Meusebach—8.

NAYS—Messrs. Bogart, Burks, Davis, Duggan, Eddy, Grimes, Hart, Hill, Miller, Parker, Reaves, Scott, Taylor, Truit and Williams—15.

Mr. Armstrong offered the following amendment:

Strike out Burnet from Williamson, and add Burnet to Travis for Representative;" adopted.

Mr. Hill offered the following amendment:

In district 42, strike out "Falls," and after "Milam" in district No. 46, insert "Falls;" adopted.

Mr. Truit offered the following amendment:

Strike out "San Augustine," and say Shelby and Panola one; rejected by the following vote:



YEAS—Messrs. Dancy, Ford, Kinney, Miller, Scott and Truit—6.

NAYS—Messrs. Armstrong, Burks, Day, Duggan, Eddy, Grimes, Hart, Meusebach, Parker, Reaves, Taylor, Williams and Wilson—13.

Mr. Hill moved to reconsider the vote which rejected the amendment offered by Mr. Bigelow, proposing to give Rusk three Representatives, and Cameron two Representatives.

Mr. Wilson moved to lay the motion on the table; carried.

On motion of Mr. Wilson, the Senate adjourned until 10 o'clock Monday morning.

---

MONDAY, January 24, 1853.

The Senate was called to order by the President, pursuant to adjournment—Prayer by the Rev. Mr. Fontaine—roll called—quorum present.

The President of the Senate presented the Memorial of William E. Mayhew, Alexander Fisher and William D. Miller; referred to the committee on Public Debt.

Mr. Hill presented the memorial of James Hamilton; referred to the committee on Public Debt.

Mr. Potter presented the petition of James H. Anderson; referred to the committee on Public Lands.

Mr. Gray presented the petition of J. H. Catlin and B. G. Shields; referred to the committee on the Judiciary.

Mr. Williams presented the petition of sundry citizens, asking the passage of a law modifying the boundaries of Cooke county and Cooke land district; referred to the committee on Public Lands.

Mr. Armstrong presented the petition of Julia Friley; referred to the committee on Private Land Claims.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported as correctly engrossed a bill to repeal an act relating to Lands in Peter's colony, and the amendments of the Senate to a bill concerning certain lands in Austins' second colony and the colony of Austin and Williams.

Mr. Hill made the following report:

The committee on the Public Debt, having considered a bill to be entitled an act to extend the provisions of an act entitled an act to provide for ascertaining the debt of the late Republic of Texas, approved March 20th, 1848, are of opinion that the time which has been allowed for the presentation of claims to the